



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Adam J. Simon

Serial No.: 09/862,850

Examiner: not yet known

Filed: May 22, 2001

Group Art Unit: 1615

For: SYSTEM AND METHOD FOR ASSESSING THE  
PERFORMANCE OF A PHARMACEUTICAL  
AGENT DELIVERY SYSTEM

CERTIFICATE UNDER 37 CFR 1.8(a)  
I HEREBY CERTIFY THAT THIS  
CORRESPONDENCE IS BEING DEPOSITED  
WITH THE UNITED STATES POSTAL SERVICE  
AS FIRST CLASS MAIL IN AN ENVELOPE  
ADDRESSED TO ASSISTANT COMMISSIONER  
FOR PATENTS, WASHINGTON, D.C. 20231.

BY Stephan P. Gribok  
REG. NO. 29643  
DATE 8-13-01

RESPONSE TO NOTICE TO FILE MISSING PARTS

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

Applicant filed a signed Declaration with a Communication on July 16, 2001. Copies are attached. Subsequently, a Notice to File Missing Parts of Nonprovisional Application (copy attached) was received by Applicant. However the missing parts were already filed.

Applicant requests prompt telephone notice if the signed Declaration that was submitted in anticipation of the Notice to File Missing Parts is not found of record in the file.

Respectfully submitted,

Dated: Aug. 13, 2001

Stephan P. Gribok  
Stephan P. Gribok  
Registration No. 29,643  
DUANE, MORRIS & HECKSCHER, LLP  
One Liberty Place  
Philadelphia, PA 19103  
215-979-1283

Docket No: D6763-00001  
PH1873337.1



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/862,850	05/22/2001	Adam J. Simon	D6763-00001

08933  
WILLIAM H. MURRAY  
DUANE MORRIS & HECKSCHER LLP  
ONE LIBERTY PLACE  
PHILADELPHIA, PA 19103-7396

CONFIRMATION NO. 9798

## FORMALITIES LETTER



\*OC000000006376713\*

Date Mailed: 08/02/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

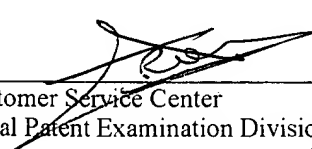
FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.

*A copy of this notice MUST be returned with the reply.*

  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



DU20  
8-10-01

sector

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BY Stephan P. Gribok  
REG. NO. 29643  
DATE 8-13-01

**TRANSMITTAL LETTER**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sirs:

Please find enclosed for filing:

- ☒ Response to Notice to File Missing Parts
- ☒ Should any additional fees be incurred please debit Deposit Account  
No. 04-1679. This Transmittal Letter is submitted in duplicate.
- ☒ Other: Copy of Notice to File Missing Parts of Nonprovisional Application; Copy  
of Signed Declaration and Communication filed July 16, 2001; Return Postcard.

Respectfully submitted,

Dated: Aug. 13, 2001

Stephan P. Gribok  
Stephan P. Gribok  
Registration No. 29,643  
DUANE, MORRIS & HECKSCHER, LLP  
One Liberty Place  
Philadelphia, PA 19103  
215-979-1283

Docket No: D6763-00001



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)**130.00**

## Complete if Known

Application Number **09/862,850**  
Filing Date **May 22, 2001**  
First Named Inventor **Adam J. Simon**  
Examiner Name **NOT YET KNOWN**  
Group Art Unit **NOT YET KNOWN**  
Attorney Docket No. **D6763-00001**

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **04-1679**  
Deposit Account Name **DUANE, MORRIS & HECKSCHER LLP**

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 710 201 355		Utility filing fee	
106 320 206 160		Design filing fee	
107 490 207 245		Plant filing fee	
108 710 208 355		Reissue filing fee	
114 150 214 75		Provisional filing fee	

SUBTOTAL (1) (\$) **0**

### 2. EXTRA CLAIM FEES

Total Claims  -20\*\* =  X  =   
Independent Claims  -3\*\* =  X  =   
Multiple Dependent  =

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
103 18 203 9		Claims in excess of 20	
102 80 202 40		Independent claims in excess of 3	
104 270 204 135		Multiple dependent claim, if not paid	
109 80 209 40		**Reissue independent claims over original patent	
110 18 210 9		**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$) **-0-**

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130 205 65		Surcharge - late filing fee or oath	130
127 50 227 25		Surcharge - late provisional filing fee or cover sheet	
139 130 139 130		Non-English specification	
147 2,520 147 2,520		For filing a request for ex parte reexamination	
112 920* 112 920*		Requesting publication of SIR prior to Examiner action	
113 1,840* 113 1,840*		Requesting publication of SIR after Examiner action	
115 110 215 55		Extension for reply within first month	
116 390 216 195		Extension for reply within second month	
117 890 217 445		Extension for reply within third month	
118 1,390 218 695		Extension for reply within fourth month	
128 1,890 228 945		Extension for reply within fifth month	
119 310 219 155		Notice of Appeal	
120 310 220 155		Filing a brief in support of an appeal	
121 270 221 135		Request for oral hearing	
138 1,510 138 1,510		Petition to institute a public use proceeding	
140 110 240 55		Petition to revive - unavoidable	
141 1,240 241 620		Petition to revive - unintentional	
142 1,240 242 620		Utility issue fee (or reissue)	
143 440 243 220		Design issue fee	
144 600 244 300		Plant issue fee	
122 130 122 130		Petitions to the Commissioner	
123 50 123 50		Processing fee under 37 CFR 1.17(q)	
126 180 126 180		Submission of Information Disclosure Stmt	
581 40 581 40		Recording each patent assignment per property (times number of properties)	
146 710 246 355		Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710 249 355		For each additional invention to be examined (37 CFR § 1.129(b))	
179 710 279 355		Request for Continued Examination (RCE)	
169 900 169 900		Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) **130**

## SUBMITTED BY

Name (Print/Type) **STEPHAN P. GRIBOK**  
Signature *Stephan Gribok*

Registration No. (Attorney/Agent) **29,643**

## Complete (if applicable)

Telephone **215-979-1283**  
Date **7-16-01**

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2033.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

COPY